

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 19**

<b>ELYSIAN BREWING CO.</b>  <b>Employer</b>  <b>and</b>  <b>IUOE LOCAL 286</b>  <b>Petitioner</b>	<b>Case 19-RC-082934</b>
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**DECLARATION OF WILLIAM D. FAIRBANKS**

I, William D. Fairbanks, state and declare as follows:

1. My name is William D. ("Bill") Fairbanks. I recently voted in a union representation election at the Elysian Brewery in the Georgetown area of Seattle, Washington.
2. My eligibility to vote was challenged by the Union, and I testified at a hearing about the challenge to my vote.
3. I was interviewed by telephone by an attorney for Elysian Brewing Company, who explained the purpose of the interview was to obtain clarification about my testimony at the hearing. I was assured that no reprisal would take place as a result of the interview, no matter what I said, and I was informed that whether to participate in the phone interview, and whether to sign a declaration, were completely voluntary on my part—I would not have to talk to him unless I wanted to, I could terminate the interview at any point if I wanted to, and I did not have to sign a declaration about this, all without any reprisals whatsoever.

4. I am voluntarily making this statement which is true and accurate.

5. I understand that the Hearing Officer concluded that I spend only 13 percent of my time doing maintenance work. I have consistently testified, and reconfirm, that my estimate is that it is more like 30 percent of my time.

6. I understand that the Hearing Officer concluded that I spend 45 minutes operating a floor Zamboni cleaning the production area and then also do other cleaning up in the keg washing area before clocking out at 10 p.m. That's not accurate, and not what I think I said at the hearing or meant to say. I spend a total of about a half-hour a day operating the floor Zamboni, including 15 to 20 minutes at the end of the day while the other two production employees are also doing clean up.

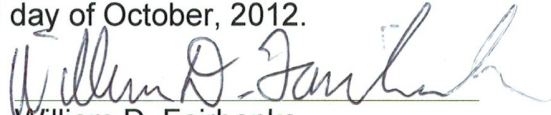
7. I also understand that the Hearing Officer concluded that, in addition to one hour or so a day performing preventive maintenance, I perform only minimal "ad hoc" maintenance tasks amounting to 0.4 percent of my working time, and that between May and August, the only other maintenance work I did was the few examples I gave. That's not accurate and not what I believe I said. I gave some examples of what I have done, in addition to the preventive maintenance. But those are just examples, not a complete list of other maintenance, which I have done on a regular basis since May.

8. Every day, I am given assignments to do maintenance—other than preventive maintenance (lubing, basically)—at night by the maintenance supervisor. Because my other tasks are usually completed by 7:30, and often before then, I have all that time until the end of the shift at 10:00, to perform these additional maintenance tasks, excluding the 15 to 20 minutes I help clean up by operating the Zamboni.

9. So, on average, I would say, I have at least two hours where I am available to perform, and do perform, additional maintenance tasks that are given to me, after my other production-related work is done.

I declare under penalty of perjury under the laws of the United State of America and the state of Washington that the foregoing is true and correct.

Signed at Seattle, Washington this 23rd day of October, 2012.

  
William D. Fairbanks